

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

Purity Oilfield Services, LLC, )

Plaintiff, )

vs. )

MBA General Contracting, LLC d/b/a )

MBA Construction Company, )

Defendant. )

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MBA General Contracting, LLC d/b/a )

MBA Construction Company, )

Third-Party Plaintiff, )

vs. )

Ressler Enterprises, Inc. d/b/a Ressler )

Siding and Windows; Jaimes Concrete, )

Inc.; Jaime Escobar d/b/a J&L Concrete; )

Mechanical Innovation, LLC; Great Plains )

Drilling, LLC; Xtreme Electric, LLC; Cody )

Moe d/b/a Evolution Concrete/Evolution )

Builders and/or Concrete and Structures; )

Creative Living Construction, LLC; USA )

Erectors; Fred's Sewer and Drain Service, )

Inc.; and Duffy's Custom Tile, Inc.; )

Third-Party Defendants. )

**ORDER RESETTING FINAL  
PRETRIAL CONFERENCE  
AND JURY TRIAL**

Case No.: 4:13-cv-152

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The jury trial in the above-captioned case has been set for November 16, 2015 before Magistrate Judge Miller. At the time the trial was set, all parties that had appeared had consented to the exercise of jurisdiction by the magistrate judge. Since that time, an additional party has appeared and requested that the case be reassigned to a district judge.

Because the case has been reassigned to Judge Hovland and additional third-party defendants

have been added, the jury trial is reset for April 11, 2016 at 9:30 a.m. in Bismarck before Judge Hovland. The trial is set for ten (10) days. The final pretrial conference is reset for March 29, 2016 at 1:30 p.m. by telephone before Judge Miller. The court will initiate the call or will provide the parties instructions for calling into a conference line in advance of the call.

The parties may extend the deadlines in the existing Scheduling Order, with the exception of the dispositive motions deadline, by documenting the agreement amongst themselves or by filing with the court an appropriate stipulation or motion. Any change to the dispositive motions deadline must be approved by the court. A proposed extension of the dispositive motions deadline beyond November 15, 2015, may not be approved, and if approved, will likely result in the trial being continued to a later date.

**IT IS SO ORDERED.**

Dated this 24th day of February, 2015.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court